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JUL 02 2010

In re Patent No. 7,584,353

WATSONVILLE CA 95076

OFFICE OF PETITIONS

Risan et al.

:VACATED DECISION AND DECISION

Issue Date: September 1, 2009

:ON REQUEST FOR

Application No. 10/661,047

:RECONSIDERATION ON

Filed: September 12, 2003

: PATENT TERM ADJUSTMENT

Attorney Docket No. MOMI-006
Title: PREVENTING UNAUTHORIZED

Title: PREVENTING UNAUTHORIZED
DISTRIBUTION OF MEDIA CONTENT

WITHIN A GLOBAL NETWORK

This decision sua sponte vacates the Request for Recalculation decision mailed on April 21, 2010. The Office will not issue a

second certificate of correction to the extent of 1513 days. The proper determination of 1175 has been granted and the certificate of correction has correctly issued.

FACTS

- 1. On November 2, 2009, patentee timely submitted a request for reconsideration of patent term adjustment under 37 CFR 1.705(d) seeking 1176 days.
- 2. On February 20, 2010, patentee submitted a second request with PTO form SB/131 for patent term adjustment despite have timely submitted a request for reconsideration on November 2, 2009.
- 3. On March 9, 2010, Petitions Attorney Charlema Grant granted-in-part patentee's request for patent term adjustment and awarded 1175 days in response to petition filed on November 2, 2009.
- 4. On April 13, 2010, the Certificate of Correction awarding 1175 days of patent term was issued.

5. On April 21, 2010, the Office errantly granted additional patent term adjustment to patentee based upon the PTO/SB/131 form request filed on February 20, 2010, however, the Office had already awarded such additional time in a petition decision mailed On March 9, 2010.

DECISION

Upon review of the record, it is determined that no error was found in the petition decision mailed on March 9, 2010.

Accordingly, the decision mailed on April 21, 2010 is hereby **VACATED**.

In light of the issuance of the correct certificate of correction on April 13, 2010, a new certificate of correction is not required.

Telephone inquiries specific to this matter should be directed to Petitions Attorney, Charlema Grant at (571) 272-3215.

Patentees have one month or thirty (30) days, whichever is longer, to reply if patentee disagrees with this vacatur.

/Kery A. Fries/

Kery Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

cc: copy of certificate of correction copy of adjusted PTA calculation

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT

7,584,353 B2

DATED

September 1, 2009

DRAFT

INVENTOR(S):

Risan et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 837 days

Delete the phrase "by 837 days" and insert - by 1175 days--



PALM INTRANET

Day : Friday Date: 7/2/2010 Time: 10:32:28

PTA Calculations for Application: 10/661047						
Application Filing Date: 09/12/2003 PTO Delay (PTO):						
Issue Date of Patent:	09/01/2009	Three Years:	0			
Pre-Issue Petitions:	0	Applicant Delay (APPL):	35			
Post-Issue Petitions:	0	Total PTA (days):	1175			
PTO Delay Adjustment:	0					

File Contents History						
Number	Date	Contents Description	PTO	APPL	START	
93	07/02/2010	ADJUSTMENT OF PTA CALCULATION BY PTO		338		
90	04/17/2010	PETITION DECISION - GRANTED				
89	03/17/2010	POST ISSUE COMMUNICATION - CERTIFICATE OF CORRECTION				
88	03/09/2010	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE			·	
87	03/09/2010	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE				
87	03/09/2010	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE				
86	03/08/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	338			
86	03/08/2010	ADJUSTMENT OF PTA CALCULATION BY PTO				
85	02/20/2010	PETITION ENTERED				
84	11/02/2009	PETITION ENTERED				
83	10/30/2009	POST ISSUE COMMUNICATION - CERTIFICATE OF CORRECTION DENIED				
82	09/01/2009	RECORDATION OF PATENT GRANT MAILED				
81	08/12/2009	ISSUE NOTIFICATION MAILED				
80.5	03/06/2008	PTA 36 MONTHS	541			
80	09/01/2009	PATENT ISSUE DATE USED IN PTA CALCULATION				
79	07/27/2009	EXPORT TO FINAL DATA CAPTURE				
78	07/23/2009	DISPATCH TO FDC				
77	07/20/2009	MAIL-PETITION DECISION - DISMISSED				
76	07/20/2009	PETITION DECISION - DISMISSED				
75	06/08/2009	PETITION ENTERED				
74	06/09/2009	APPLICATION IS CONSIDERED READY FOR ISSUE				

73	06/08/2009	ISSUE FEE PAYMENT VERIFIED		
72		ISSUE FEE PAYMENT RECEIVED		
71	05/15/2009	FINISHED INITIAL DATA CAPTURE		
70	04/21/2009	EXPORT TO INITIAL DATA CAPTURE		
68	04/16/2009	MAIL NOTICE OF ALLOWANCE		
67	04/14/2009	ISSUE REVISION COMPLETED		
66	04/14/2009	DOCUMENT VERIFICATION		
65	04/14/2009	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED		
64	04/14/2009	CASE DOCKETED TO EXAMINER IN GAU		
63	04/14/2009	EXAMINER'S AMENDMENT COMMUNICATION		
62	04/07/2009	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)		
61	04/08/2009	NOTICE OF ALLOWABILITY		
60	12/12/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
59		DATE FORWARDED TO EXAMINER		
58	03/18/2009	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE		
57	03/23/2009	DATE FORWARDED TO EXAMINER	·	
56	03/18/2009	REQUEST FOR CONTINUED EXAMINATION (RCE)	27	49
55	03/23/2009	DISPOSAL FOR A RCE / CPA / R129		
54	03/18/2009	REQUEST FOR EXTENSION OF TIME - GRANTED		
53	03/18/2009	WORKFLOW - REQUEST FOR RCE - BEGIN		
52	12/12/2008	REFERENCE CAPTURE ON IDS		
51	12/12/2008	HFILED		
50	12/12/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
49	11/19/2008	MAIL FINAL REJECTION (PTOL - 326)		
48	11/18/2008	FINAL REJECTION		
47	10/13/2008	DATE FORWARDED TO EXAMINER		
46	08/19/2008	RESPONSE AFTER NON-FINAL ACTION		
45	10/06/2008	CASE DOCKETED TO EXAMINER IN GAU		
44	05/19/2008	MAIL NON-FINAL REJECTION		
43	05/16/2008	NON-FINAL REJECTION		
42	03/25/2008	DATE FORWARDED TO EXAMINER		

41	03/07/2008	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
		DATE FORWARDED TO EXAMINER			
39	03/07/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)		3	34
38	03/25/2008	DISPOSAL FOR A RCE / CPA / R129		·	
37	03/07/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			
36	01/29/2008	CORRESPONDENCE ADDRESS CHANGE			
35	01/23/2008	CORRESPONDENCE ADDRESS CHANGE			
34	12/04/2007	MAIL FINAL REJECTION (PTOL - 326)			
33	12/03/2007	FINAL REJECTION			
32	11/19/2007	DATE FORWARDED TO EXAMINER			
31	11/07/2007	RESPONSE AFTER NON-FINAL ACTION		5	29
30	11/07/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
29	08/02/2007	MAIL NON-FINAL REJECTION			
28	07/31/2007	NON-FINAL REJECTION			
27	09/22/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
26	05/31/2007	DATE FORWARDED TO EXAMINER			
25	05/17/2007	RESPONSE TO ELECTION / RESTRICTION FILED			
24	05/17/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
23	04/03/2007	MAIL RESTRICTION REQUIREMENT	669		-1
22	03/30/2007	REQUIREMENT FOR RESTRICTION / ELECTION			
21	03/29/2007	CASE DOCKETED TO EXAMINER IN GAU			
20	11/17/2006	CASE DOCKETED TO EXAMINER IN GAU			
19	07/28/2006	CASE DOCKETED TO EXAMINER IN GAU			
18	09/22/2005	REFERENCE CAPTURE ON IDS			
17.7	09/22/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
17	09/22/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
16	12/02/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
15	12/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
14	07/12/2004	RESCIND NONPUBLICATION REQUEST FOR PRE GRANT PUBLICATION			
		APPLICATION RETURN FROM OIPE			
12	03/09/2004	APPLICATION RETURN TO OIPE			

11	03/09/2004	APPLICATION DISPATCHED FROM OIPE		
10	03/09/2004	APPLICATION IS NOW COMPLETE		
9	02/09/2004	ADDITIONAL APPLICATION FILING FEES		
8	02/09/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC		
7	12/05/2003	NOTICE MAILEDAPPLICATION INCOMPLETE FILING DATE ASSIGNED		
5	09/12/2003	PGPUBS NONPUB REQUEST		
4	11/25/2003	CASE CLASSIFIED BY OIPE		
3	11/25/2003	CLEARED BY OIPE CSR		
2	11/11/2003	IFW SCAN & PACR AUTO SECURITY REVIEW		
1	09/12/2003	INITIAL EXAM TEAM NN		

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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